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YOUNG LAW FIRM, P.C. 4370 ALPINE RD. STE. 106 PORTOLA VALLEY, CA 94028			JARRETT, SCOTT L	
			ART UNIT	PAPER NUMBER
			3623	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/867,333	<b>Applicant(s)</b> ROBSON ET AL.	
	<b>Examiner</b> Scott L. Jarrett	<b>Art Unit</b> 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-32, 34-49, 51-67 and 69-72 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-32, 34-49, 51-67 and 69-72 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 12, 2006 has been entered.

Applicant's amendment amended claims 1-13, 15-32, 34-49, 61-67 and 69-72. Currently Claims 1-13, 15-32, 34-49, 61-67 and 69-72 are pending.

### ***Response to Amendment***

2. The Objection to the Title in the previous office action is withdrawn in response to Applicant's amendment to the Title.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-13, 15-32, 34-49, 61-67 and 69-72 have been considered but are moot in view of the new ground(s) of rejection.

It is noted that the applicant did not challenge the officially noticed facts cited in the previous office action(s) therefore those statements as presented are herein after

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prior art. Specifically it has been established that it was old and well known in the art at the time of the invention to store documents or other information in a database thereby providing a convenient mechanism for storing, searching or accessing documents.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-13, 15-32, 34-49, 61-67 and 69-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Continuus Software's Continuus Change Management Suite as evidenced by at least Continuous.com Web Pages (October-November 2000) in view of Hurd II, U.S. Patent No. 6,222,535 and further in view of Primavera Project Planner – Planning and Control Guide Version 3.0 (1999).

Regarding Claims 1, 19, 37 and 55 Continuus teaches a change and project management system and method wherein "Change tracking (also known as problem, defect or bug tracking) refers to the process of recording and tracking change requests, deciding which changes to make to the software system, who will make the changes, what tasks are involved in the change, what objects were changed to complete the task, and the records describing the purpose and results of the change" (task-based change management; Paragraph 1, Page 76; Figure 12).

More specifically Continuus teaches a system and method for managing a project that includes a plurality of interdependent tasks organized in a hierarchy (work breakdown structure, WBS, project levels, drill-down, Microsoft Project integration,

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project tree/directory, project folders/directories; Bullet 1, Page 13; Paragraph 1, Page 3; Bullets 5-7, Page 20; Last Paragraph, Page 59; Figure 12) comprising:

- defining and storing a plurality of tasks, each having an associated status, in a database (repository) wherein the system/database is selectively and remotely accessible over a computer network (Bullet 5, Page 20; Paragraph 1, Page 24; Bullets 1-2, Page 25; Bullets 1,3-5, Page 27; Last Two Paragraphs, Page 32; Figure 1, Page 96);

- defining and storing a first dependency relationship (link, association, traceability, etc.) between each of the plurality of tasks to define the task hierarchy (linking multiple tasks to a single change request, associating change requests, work assignments and development objects, change sets; Paragraphs 2-3, Page 23; Last Two Paragraphs, Page 32; Paragraphs 3, 5, 7, Page 59; "Change Tracking", Page 68; Paragraph 1, Page 78; "Change requests are created and managed by the Change Tracking system. Tracking the relationship between a change request and the task(s) that implement the change request is critical, both for traceability, and to allow users of the SCM to speak in terms of change requests.", Paragraph 7, Page 59; Figure 12);

- defining, remotely (WebSynergy, Continuous/DCM), and storing one of an issue, and change request, the issue defining a problem (bug, defect, change, issue, error, etc.) within one of the tasks, the change request identifying at least one step to be taken pending authorization (approval, acceptance, etc.) to resolve the issue and authorizing the change request as well as the implemented authorized changes/resolution (Paragraphs 2-3, Page 23; "provides automated association of change requests to

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developer's work, so that only changes that have been approved are allowed",

Paragraph 3, Page 24; "A change request may be decomposed into multiple tasks...

For example a change request to add a new graphical dialog to a GUI might include a task for the development work, a task for the documentation to be updated and a task for the generation of a new automated test case", Last Paragraph, Page 77; Figure 12); and

- requiring the definition, remote, and storage in the database of at least one second dependency relationship (link, association, traceability, attachment, etc.) between the issue, change request *or* change order and the task such that the issue, change request *or* change order is integrated into the hierarchy of tasks (WebSynergy, Continuous/PT; distributed development support; Paragraph 1, Page 78; Figure 12; Last Paragraph, Page 79).

Continuous further teaches that the system and method for managing a project comprises at least one processor, at least one data storage device, a plurality of processes (threads, executions, objects, etc.) spawned by the at least one processor to perform the method steps/logic above as well as a computer readable medium containing instructions to perform the method steps/logic above (Paragraph 3, Page 34; Paragraph 2, Page 7).

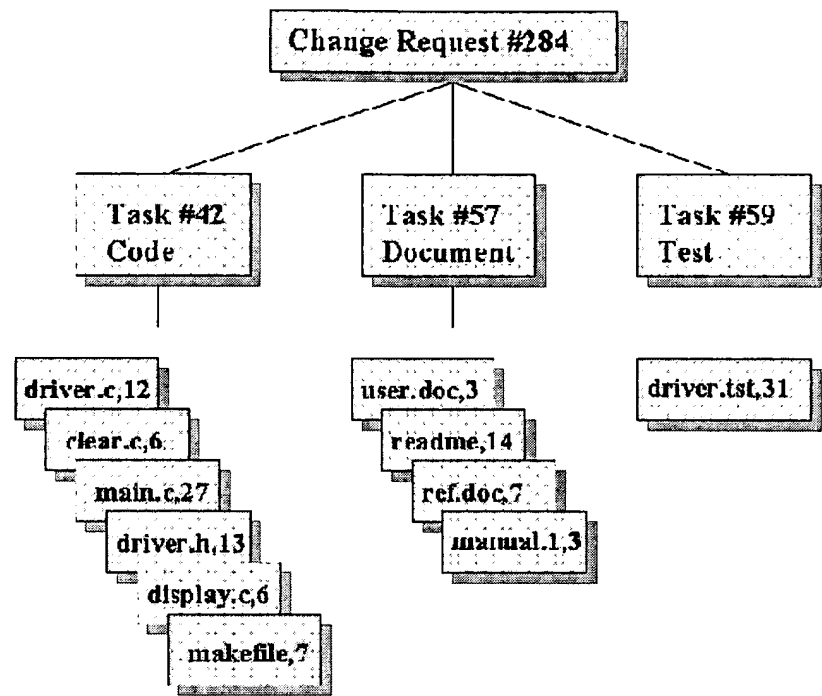


Figure 1: Continuus, Figure 12, Page 78

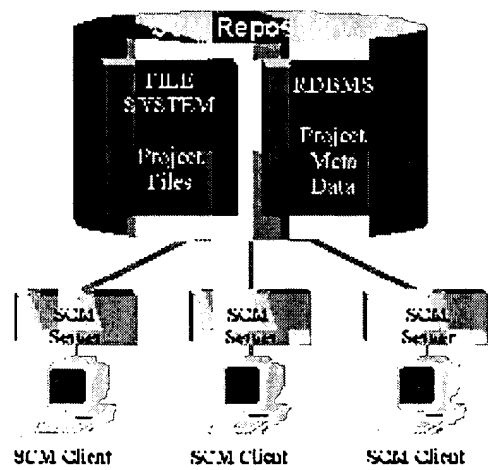


Figure 2: Continuus, Figure 1, Page 96



While Continuus teaches managing the complete lifecycle of changes from request to resolution via a task-based and workflow-enabled change management system (Bullet 7, Page 13) wherein change requests are routed via user-defined and/or templated workflows Continuus does not expressly teach defining and storing a *change order* wherein the change order defines/identifies the authorized steps to resolve the issue/change request as claimed.

Hurd teaches defining change requests (issues) and change orders (proposed solution) wherein the change requests/orders identify the proposed and authorized (accepted) steps (solution, process, resolution, etc.) for resolving an issue/change request in an analogous art of project issue management for the purposes of insuring the proposed solution/resolution is acceptable/satisfactory (Abstract; Column 1, Lines 50-68).

More generally Hurd teaches a method and system for tracking issues comprising: defining issues, assigning issues (responsible entities, assigned party, etc.) and tracking issue resolution/implementation (change request, solution proposal, solution approval/change order; Column 3, Lines 3-46; Figures 1-4). Hurd teaches that the issue tracking system further comprises:

- a change request identifying at least one step (task, process, method, etc.) to be taken pending the authorization (approval, acceptance, etc.) to resolve the issue (Column 3, Lines 3-46; Figures 1-4);

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- a plurality of servers, clients, a database and a computer network (Internet;  
Column 1, Lines 63-68; Column 4, Lines 44-45);

- storing issues/change request and change orders in a database (Column 4,  
Lines 23-25);

- assigning issues change requests and orders to one of a plurality of statuses  
(states) including open, hold, assigned, proposed, accepted, closed and void (Figure 3);  
and

- ensuring only authorized users can access the system (Column 4, Lines 25-27;  
Column 5, Lines 30-33).

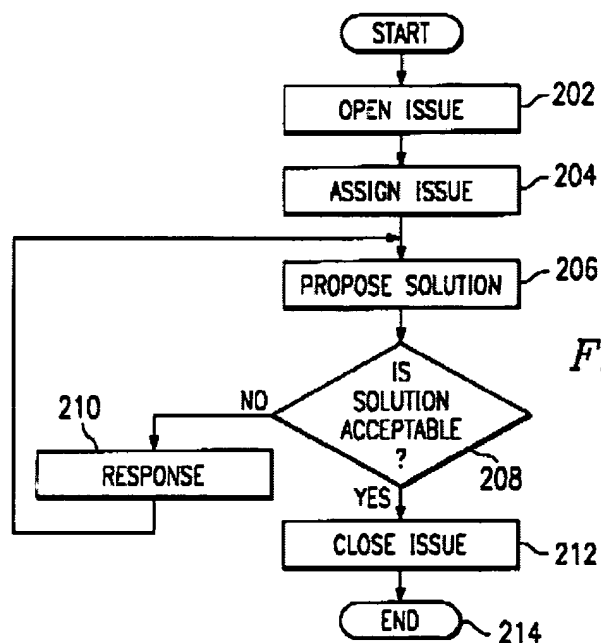


Figure 3: Hurd, Figure 2

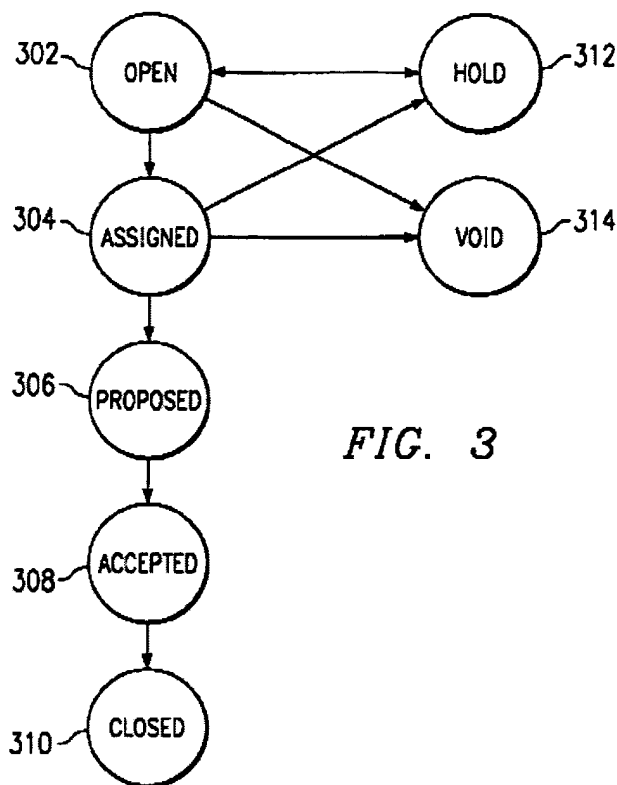


Figure 4: Hurd, Figure 3

It would have been obvious to one skilled in the art at the time of the invention that the system and method for managing projects as taught by Continuous would have benefited from generating and approving change orders in view of the teachings of Hurd; the resultant system enabling users to ensure that the proposed solution/resolution to the change request/issue is acceptable/satisfactory (Hurd: Abstract).

Neither Continuus nor Hurd expressly teach integrating a issue, change request or change order is into the hierarchy of tasks *without changing the defined first dependency* as claimed.

Primavera teaches integrating project tasks into the project hierarchy without changing (removing, destroying, distributing, etc.) the existing plurality (first/second) of task relationships/dependencies (links, associations, etc.; adding/inserting activities between activities, auto linking activities, adding/removing activities in a chain of activities; Pages 62, 96, 144-145; Paragraph 1, Page 63; Figures 5-6 below) in an analogous art of project management for the purposes of enabling users to revise/update project schedules by adding/inserting, removing/dissolving, modifying or moving tasks into/out of the existing task hierarchy (schedule, work breakdown schedule, etc.) thereby accounting for changes in the project (Pages 144-145).

More generally Primavera teaches a project management system and method for defining, planning, monitoring, controlling and managing projects comprising a plurality of hierarchically (work breakdown structure, outline, levels, etc.; Pages 33, 75, 125-129, 219, 253-) organized and interdependent tasks, activities, processes, resources and the like remotely over a computer network comprising (Preface, Pages 4-7, 58-66, 179):

- defining and storing a plurality of tasks (activities, sub-tasks, etc.) having status information in a database (Page 8) that is selectively accessible (permission, security, access control, etc.; Pages 50-52) over a computer network (Pages 7, 58-63, 96, 198-199, 253-254);

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- defining and storing two or more (several, plurality, first/second, etc.) dependency relationships (links, associations, "relationship line", "trace logic", "successor", "predecessor", WBS, etc.) between each of the plurality of tasks to define a hierarchy of tasks in a database (Pages 15, 53, 59, 64-66, 96, 199, 253-254) such that the defined tasks are integrated (linked, associated, etc.) into the plurality of other tasks in the project task hierarchy without changing the task dependencies (Page 4, Bullet 6);

- retrieving (accessing, viewing, etc.) and updating (editing, modifying) of task information (status, description, etc.) stored in a database remotely over a network (Pages 179-191);

- defining access rights for at least one of the plurality of project information (tasks, activities, etc.; Pages 50-52).

Primavera teaches a project management a method and system further wherein:

- each of the defined task (activity, etc.) includes a status and enables updating the status (Pages 181-186, 193-197);

- the status of the task (issue, activity, work item, etc.) is at least one of: not started, on track (ahead), complete, in trouble (behind), on hold ("suspend") or cancelled (e.g. duration remaining, percent complete, "current progress bar", "ahead of schedule", "behind schedule", etc.; Pages 174-175, 177, 184, 193-197);

- the issue (task, change, activity, event, problem, defect, bug, enhancement, support request, etc.) was previously unidentified at the time when the plurality of tasks were defined ("Few projects proceed exactly as planned. The scope of the project

changes, some activities fall behind schedule or occur out of sequence, and resource requirements are revised.”, Pages 134-136, 167-168 193-197).

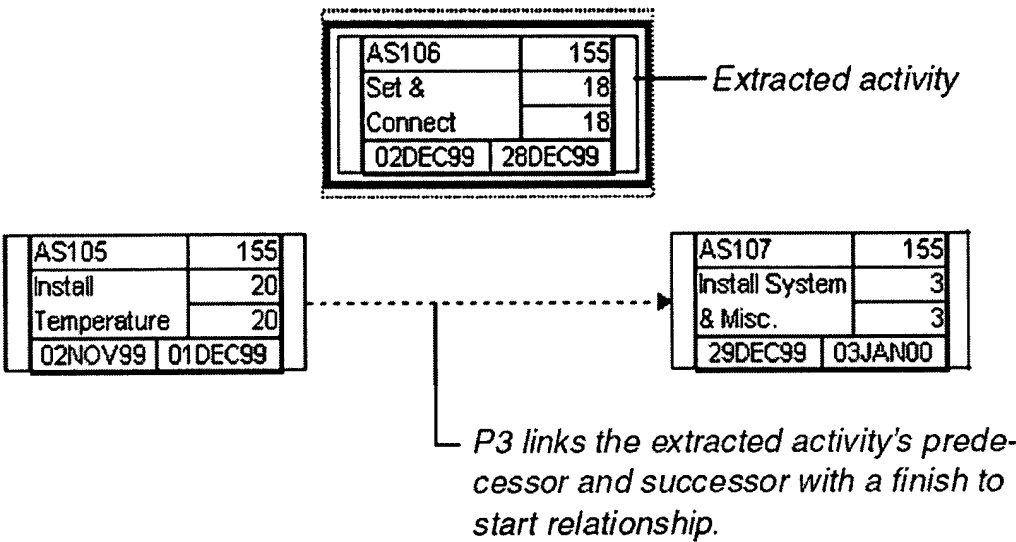
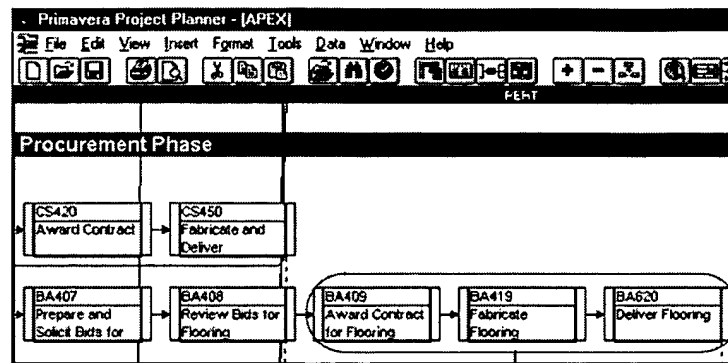
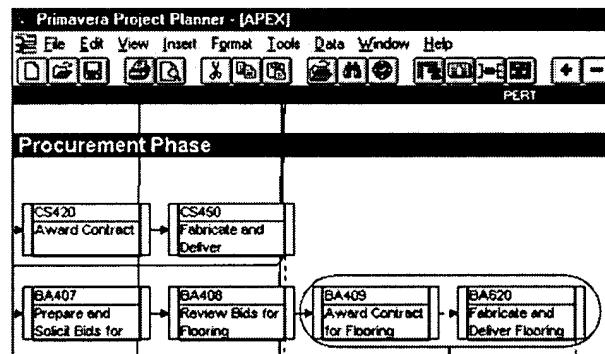


Figure 5: Figure, Page 144



*This sequence of activities can be completed with only two activities. Dissolve activity BA419, then revise the activity description for BA620 to reflect both the Fabricate and Deliver tasks.*



*P3 automatically joins activity BA419's predecessor and successor with a finish to start relationship.*

Figure 6: Figures, Page 145

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by the combination of Continuous and Hurd would have benefited from enabling users to add, update and/or remove tasks into or out of the project hierarchy without changing the existing one or more task dependencies/relationships in view of the teachings of Primavera; the resultant system/method enabling users to revise/update project schedules by

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adding/inserting, removing/dissolving, modifying or moving tasks into/out of the existing task hierarchy (schedule, work breakdown schedule, etc.) to account for changes in the project (Primavera: Pages 144-145).

Regarding Claims 2, 20, 38 and 56 Continuous teaches a project management system and method further comprising defining access rights/permissions for *at least one of* the tasks, issues, change requests or change orders (Paragraph 1, Page 32; Paragraph 2, Bullet 3, Page 29; "Change Tracking", Page 68; "User and Roles", Page 74).

Regarding Claims 3, 9, 22, 28, 39, 45, 57 and 63 Continuous teaches a project management system and method wherein the access rights/permissions define a right to *at least one of*: remotely change the status or (first) dependency relationship of at least one of the plurality of tasks (WebSynergy, distributed, Internet, Continuous/PT; Paragraph 2, Bullet 3, Page 29; "Change Tracking", Page 68; "User and Roles", Page 74).

Regarding Claims 4, 23, 40 and 58 Continuous teaches a project and change management system and method further comprising the integration of Microsoft Project (ProjectSynergy; Pages 19-20) wherein the integration "allows managers to assign work, adjust work schedules, reassign resources and track development tasks in Continuous/CM efficiently and seamlessly from within the Microsoft Project Environment"



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(Paragraph 1, Page 19) and “allows managers to view up-to-date activity related to individual Continuous tasks from within the project schedule” (Last Paragraph, Page 19).

Continuous does not expressly teach that the first/second dependencies comprise *at least one of* the following (selected from the group of): start-start, start-finish, finish-start and finish-finish as claimed.

Primavera teaches a project management system and method wherein the task dependency relationships are selected from at least one of the following: start-start, start-finish, finish-start or finish-finish (Pages 64, 100) in an analogous art of project management for the purposes of enabling users to model the different types of task dependency relations wherein the various dependency relationships effect the scheduling and managing of tasks in the project hierarchy (Paragraphs 1-2, Page 64).

It would have been obvious to one skilled in the art at the time of the invention that the project and change management system and method, with its integration with well known project management tools such as Microsoft Project (Pages 19-20), as taught by the combination of Continuous and Hurd would have benefited from utilizing a plurality of well-known dependency relationships including at least one of the following: start-start, start-finish, finish-start or finish-finish in view of the teachings of Primavera; the resultant system/method enabling users to model the different types of task

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dependency relationships and their different effects on the project schedule (Primavera: Paragraphs 1-2, Page 64).

Further regarding Claims 4, 23, 40 and 58 it is noted that the specific labels applied to the one or more task dependency relationships represent non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels applied to the dependency relationships. Further, the structural elements remain the same regardless of the labels applied to the dependency relationships. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Regarding Claims 5, 24, 41 and 59 Continuous does not expressly teach that *at least one of the* dependency relationships (first/second) defines a *lag time* between the start and/or finish of at least two tasks (activities, work items, etc.) depending on the dependency relationship as claimed.

Primavera teach the well known definition and utilization of a *lag time* between the start and/or finish of at least two tasks (activities, work items, etc.), at least one of the dependency relationships, depending on the dependency relationship (Page 65, 83)

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in an analogous art of project management for the purposes of enabling users to model the different types of task dependency relationships and the effects those links/associations have on the project schedule (Primavera: Paragraphs 1-2, Page 64) ; i.e. to control the dates when resources/activities start in relation to one another (Paragraph 1, Page 83).

It would have been obvious to one skilled in the art at the time of the invention that the project and change management system and method, with its integration with well known project management tools such as Microsoft Project, as taught by the combination of Continuus and Hurd would have benefited from utilizing a plurality of well-known dependency relationships wherein *at least one of the* dependency relationships (first/second) defines a lag time between the start and/or finish of at least two tasks (activities, work items, etc.) depending on the dependency relationship in view of the teachings of Primavera; the resultant system/method control the dates when resources/activities start in relation to one another (Primavera: Paragraph 1, Page 83).

Regarding Claims 6, 25, 42 and 60 Continuus teaches a project management system and method wherein the issue (task, change, activity, event, problem, defect, bug, enhancement, support request, etc.) was previously unidentified at the time when the plurality of tasks were defined (the definition of change management, bug, problem, issue tracking, etc.; if the issues were known ahead of time and/or planned for they

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would not require change requests, approval, etc.; Pages 5, 22-23; Paragraph 3, Page 44).

Regarding Claims 7, 26, 43 and 61 Continuous teaches a project management system and method further comprising enabling the updating, remotely, of the status associated with each of the issues and change requests (Continuous/PT, ChangeSynergy, Distributed Change Management; Microsoft Project Integration, Pages 19-20; Paragraph 3, Page 23).

Continuous does not expressly teach the definition of change orders, as discussed above, or subsequently the remote updating of a change order's status as claimed.

Hurd teaches defining change requests (issues) and change orders (proposed solution) wherein the change requests/orders identify the proposed and authorized (accepted) steps (solution, process, resolution, etc.) for resolving an issue/change request in an analogous art of project issue management for the purposes of insuring the proposed solution/resolution is acceptable/satisfactory (Abstract; Column 1, Lines 50-68).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for managing projects with its ability to enable users to remotely access the system/method and update a plurality of project/task/change

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information including but not limited to status updates as taught by Continuous would have benefited from generating, approving and updating the status of change orders in view of the teachings of Hurd; the resultant system enabling users to ensure that the proposed solution/resolution to the change request/issue is acceptable/satisfactory (Hurd: Abstract).

Regarding Claims 8, 27, 44 and 62 Continuous teaches a project management system and method wherein the status of the task (issue, activity, work item, etc.) is *at least one of* (selected from the group): not started, on track, complete, in trouble, on hold or cancelled (assignments, resolved, concluded; Bullets 1-3, Page 32).

Further regarding Claims 8, 27, 44 and 62 it is noted that the specific labels applied to the one or more task statuses represent non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific labels applied to the task statuses. Further, the structural elements remain the same regardless of the labels applied to the task statuses. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Regarding Claims 10-11, 29, 46-47 and 64-65 Continuous teaches a project management system and method wherein the system/method further comprises (Bullet 1, Page 13; Paragraph 1, Page 3; Bullets 5-7, Page 20; Last Paragraph, Page 59; Figure 12): a project directory tree, change/task/project folders and directories (Windows file explorer), project/change/task drilldown (Last Paragraph, Page 32) integration with Microsoft Project for schedule/tasks management (Microsoft Project being well known to graphically represent project/task hierarchies), graphically displaying project data (Bullet 5, Page 25) as well as enabling users to remotely access the project and change management system via the Internet, as discussed above.

Continuous does not expressly teach maintaining a graphic representation of the hierarchy comprising: a plurality of tasks or select tasks; first/second relationships; and at least one of the defined issue, change request and change order as claimed.

Primavera teaches maintaining a graphical representation of the task hierarchy selectively accessible remotely via a network comprising (PERT, Network Chart, WBS; Pages 15, 27, 62, 193-197): a plurality of tasks or selected plurality of tasks (Pages 15-16, 29); two or more dependency relationships (Pages 64-66) and accessible via a web browser (179-191) in an analogous art of project management for the purposes of enabling users to organize/structure project data (Paragraph 1, Page 16).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by the combination of Continuous and Hurd would have benefited from graphically displaying the project task hierarchy via a web browser in view of the teachings of Primavera; the resultant system/method enabling users to organize/structure project data (Primavera: Paragraph 1, Page 16).

Regarding Claims 12, 31, 48 and 66 Continuous teaches a project management system and method further comprising defining and storing, in the database, an identity of at least one entity (user, organization, group, project, etc.) allowed to access *and/or* having responsibility for each of the tasks, issues, change requests *or* change order (Paragraph 2, Bullet 3, Page 29; Paragraph 2, Page 55; "Change Tracking", Page 68; "User and Roles", Page 74).

Regarding Claims 13, 30, 32, 49 and 67 Continuous teach a project management system and method wherein the entity is *at least one of* the following: project team, project member, subcontractor or vendor (resources, resource group/type/name; Paragraph 2, Page 54; "User and Roles", Page 74; Bullets 1-6, Page 77).

Further regarding Claims 13, 30, 32, 49 and 67 it is noted that the specific labels applied to the at least one entity represent non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural

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elements. The recited method steps would be performed the same regardless of the specific labels applied to the entity. Further, the structural elements remain the same regardless of the labels applied to the entity. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, *see In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); MPEP § 2106.

Regarding Claim 15, 34, 51 and 69 Continuous teaches a project management system and method wherein the network crosses business enterprises (Internet; Bullet 1, Page 6).

Regarding Claims 16, 35, 52 and 70 Continuous teaches a project management system and method comprising: graphically representing hierarchical tasks (folders, directories, Microsoft Project integration, project tree/directory, etc.) wherein the users are able to drill-down into the task/change/issue hierarchy (Last Paragraph, Page 32; Last Paragraph, Page 59; Paragraph 1, Page 60).

Continuous does not expressly a graphical hierarchical representation further comprises a *selectively expandable* hierarchical tree that shows the tasks/selected tasks, first/second dependency relationships and at least one issue, change request and change order.



Primavera teaches a graphical representation of the task hierarchy (outline, work breakdown structure, PERT, etc.) comprises a selectively expandable tree that shows (displays, presents, etc.; Page 125) a plurality of tasks or plurality of selected tasks and two or more dependency relationships (Pages 15, 27, 125) in an analogous art of project management for the purposes of enabling users to organize/structure project data (Paragraph 1, Page 16).

It would have been obvious to one skilled in the art at the time of the invention that the project management system and method as taught by the combination of Continuus and Hurd would have benefited from graphically displaying the project task hierarchy and enabling users to a selectively expandable tree in view of the teachings of Primavera; the resultant system/method enabling users to organize/structure project data (Primavera: Paragraph 1, Page 16) and/or navigation/explore the projects structure (Continuus: Last Paragraph, Page 59; Paragraph 1, Page 60).

Regarding Claims 17, 53 and 71 Continuus teaches a project management system and method further comprising the prompting for the definition, remote, of one of the issue, change request and second dependency relationship when the status of the task is updated (Paragraph 4, Page 57; Paragraphs 1-2, Page 79).

Continuus does not expressly teach change order or subsequently prompting for the remote definition of a change order when the status of a task is update as claimed.

Hurd teaches defining change requests (issues) and change orders (proposed solution) wherein the change requests/orders identify the proposed and authorized (accepted) steps (solution, process, resolution, etc.) for resolving an issue/change request in an analogous art of project issue management for the purposes of insuring the proposed solution/resolution is acceptable/satisfactory (Abstract; Column 1, Lines 50-68).

It would have been obvious to one skilled in the art at the time of the invention that the system and method for managing projects as taught by Continuous would have benefited from generating and approving change orders as well as prompting the user to define a change order in view of the teachings of Hurd; the resultant system enabling users to ensure that the proposed solution/resolution to the change request/issue is acceptable/satisfactory (Hurd: Abstract) as well as to ensure that the system/method tracks/traces the plurality of project changes (Continuous: Paragraph 1, Page 79).

Regarding Claims 18, 36, 54 and 72 Continuous teaches a project management system and method further comprising at least one document (file, object) to be associated (linked, embedded) with at least one of the plurality of tasks (attachments; Bullet 4, Page 27).

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Regarding Claim 21 Continuuus teaches a project management system and method wherein selectively accessing selected tasks, status or (first) dependency relationship depends upon the assigned permission (Paragraph 1, Page 32; Paragraph 2, Bullet 3, Page 29; "Change Tracking", Page 68; "User and Roles", Page 74).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lipp et al., U.S. Patent No. 5,848,394, teach a project management system and method that includes a plurality of interdependent tasks organized in a hierarchy wherein the hierarchy is commonly known as the project's work breakdown structure (WBS).

- Freeman et al., U.S. Patent No. 7,031,930, teach a project management system and method comprising a plurality of tasks wherein the system provides for the management (request – approval – resolution) of project change requests.

- Young et al., U.S. Patent No. 7,058,588, teach a project management system and method that includes a plurality of interdependent tasks organized in a hierarchy (work breakdown structure, activity hierarchy) wherein the system/method enables the insertion/addition as well as removal of a plurality of interdependent tasks into/out of the hierarchy without changing other dependency links/relationships in the task hierarchy.

- Budka et al., U.S. Patent Publication No. 2002/0082895, teach a project management system and method for remotely managing project requests wherein the requests a related (associated, linked, etc.) to project task(s).

- Dutoit et al., Using an issue-based model in a team-based software engineering course (1996) teaches a project management system and method that includes a plurality of hierarchically interdependent tasks comprising: defining and storing first/second dependency relationships; defining and storing an issue, change

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proposal, resolution, action item and task each inter-related/associated (link, dependency relation, etc.) and assigns owners/person responsible for issues/tasks/action items.

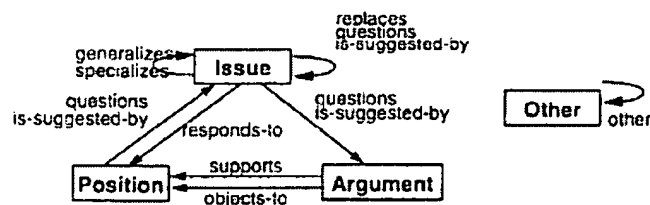


Figure 1. : The IBIS model

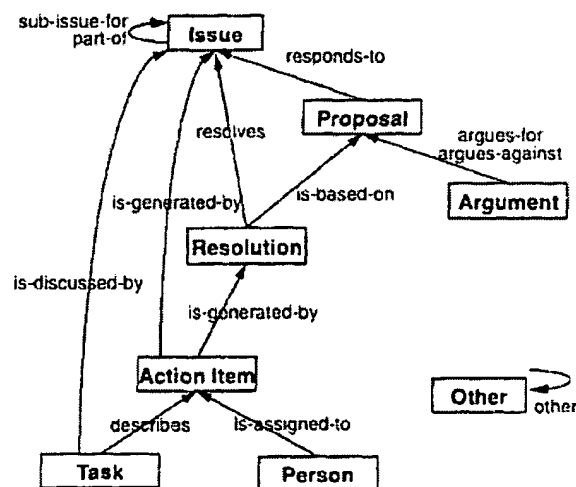


Figure 2. IWEB discussion and task model

- Continuous Software releases ChangeSynergy 3.5 to Simplify, Customize and Automate Change Request Management Lifecycles (2000) teaches the commercial availability of a change and project system and method wherein the system/method comprises: role-based workflow and security, project statusing/reporting and task/change request assignment and tracking.

- FootPrints provides organizations with powerful integrated email capability to speed issue tracking and problem resolution while streamlining project management

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(2001) teaches a project and issue management system and method comprising linking submitted issues with projects, remote and selective access and definition of project issues and automatic email notification of task/issue status.

- Yee, Ka-Ping, Roundup – An Issue Tracking System for Knowledge Workers (2000) teaches a selectively accessible computer implemented project management system and method comprising a plurality of hierarchically organized tasks and issues (problems, bugs, defects, etc.) each having numerous dependency/interdependency relationships (first/second, etc.), priority, status, owner/fixer and the like and further wherein the issue/task information is defined remotely and stored in a database.

- Merant.com – PVCS Product Pages (2001) teaches a commercially available project management system and method comprising a plurality of interdependent project tasks, changes and issues (PVCS Tracker) wherein the system/method is remotely and selectively accessible. Merant.com further teaches that the project management system/method comprising issue/task update/status notifications, tracking/reporting of issue/task priorities, ownership, hand-offs and the like.

Merant.com teaches the commercial availability of a project and change management system and method for managing Oracle upgrade projects (PVCS ERP Change Manager).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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SJ  
6/13/2006

  
**TARIQ R. HAFIZ**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 3600**